

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., et al.¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

FTX TRADING LTD., WEST REALM SHIRES
SERVICES, INC., and ALAMEDA RESEARCH
LTD.,

Plaintiffs,

-against-

MIRANA CORP., BYBIT FINTECH LTD., TIME
RESEARCH LTD., SIN WEI “SEAN” TAN, WEI
LIN “GERMAINE” TAN, WEIZHENG YE, and
NASHON LOO SHUN LIANG,

Defendants.

Adv. Pro. No. 23-50759 (JTD)

DECLARATION OF ERIC DAUCHER

I, Eric Daucher, hereby declare and state pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Norton Rose Fulbright US LLP, attorneys for defendant Mirana Corp. (“Mirana”). I am fully familiar with the facts set forth herein. I submit this declaration in support of the motion filed by Mirana to dismiss the complaint in the above-captioned adversary proceeding.

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063, respectively. A list of Debtors and the last four digits of their tax identification numbers may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

2. Attached hereto as Exhibit 1 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://about.ftx.com> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of November 1, 2022.

3. Attached hereto as Exhibit 2 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360024788391-FTX-Terms-of-Service> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 6, 2022.

4. Attached hereto as Exhibit 3 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360042412652-Location-Restrictions-> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 6, 2022.

5. Attached hereto as Exhibit 4 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360056976411-Jurisdiction-regulations-licensing-and-practices> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of October 5, 2022.

6. Attached hereto as Exhibit 5 is a true and correct copy of the “FTX Terms of Service” dated May 13, 2022, as filed by Debtors in the above-captioned chapter 11 cases as Exhibit G to the Declaration of Edgar G. Mosley dated December 30, 2022 (D.I. 337-1).

7. Attached hereto as Exhibit 6 are true and correct copies of screenshots captured on January 25, 2024, of the website <https://help.ftx.com/hc/en-us/articles/360044358751-VIP-Program-and-Market-Maker-Policy> as archived by the Internet Archive Wayback Machine (<https://archive.org/web/>) as of August 17, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 6th day of February, 2024

/s/ Eric Daucher

Eric Daucher